

1 STUART J. WEST, STATE BAR NO. 202041
2 WEST & ASSOCIATES, A PC
3 2815 Mitchell Drive, Suite 209
4 Walnut Creek, CA 94598
5 Tel. No. 925.465.4603

6 Attorney for Plaintiff
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10 UNITED STATES DISTRICT COURT
11 NOTHERN DISTRICT OF CALIFORNIA

11 BONNIE STERNGOLD,) Case No.: C07-02450 EMC
12 Plaintiff,) REQUEST FOR EXTENSION OF TIME
13 vs.) TO SERVE AND REQUEST FOR
14 ANTHONY ROBERTS, DOES 1-10,) CONTINUANCE OF CASE MANAGEMENT
15 Defendant) CONFERENCE

16
17 Plaintiff, by and through counsel and its process server, have
18 made diligent attempts to serve Defendant, Anthony Roberts, with
19 a summons and complaint in the above-captioned action, but have
20 been unsuccessful. (See Declaration of Non-Service and
21 communication from process server, Appendix A). Plaintiff, by
22 and through counsel and its process server, continue to make
23 diligent attempts to locate and serve Defendant, Anthony
24 Roberts.

25
26 Plaintiff, being aware of the impending Case Management
27 Conference scheduled on August 15, 2007 and the impending
28

1 deadline for effecting service of process (September 5, 2007),
2 requests that the court:

3 1) Grant a 120 day extension of time to effect service of
4 process; and

5 2) Remove the currently scheduled Case Management Conference
6 from its calendar and continue the currently-scheduled to
7 a date convenient for the court and after the date which
8 Defendant, Anthony Roberts, can be served with a summons
9 and complaint in this matter.

10
11 Respectfully Submitted,

12
13 Dated this 6th day of August, 2007

14
15 /s/

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APPENDIX A

Stuart J. West

From: SOP Support [sopsupport@fileandserve.lexisnexis.com]
Sent: 05/15/2007 3:22 PM
To: Stuart J. West
Subject: #8206895-Anthony Roberts

Greetings, from LexisNexis Service of Process Here is an update on your order:

The server has attempted the address of: 820 S WASHINGTON ST Diamond, MO 64840 on 3 attempts and so far they have had no luck. This is a secured gated area, the server cannot get through to the fence. Server has waited at a nearby flea market located at 814 S. Washington St on all three attempts for nearly 3 hours total. Server watched to see if there were any cars coming and going from the address, and within that time frame he did not notice anyone enter or exit the premises. A woman from the flea market approached the server's car and asked him if he needed any help, the server then began to say he was searching for someone named Anthony. The woman seemed to act as if she knew him and the server has reason to believe that he is working at the flea market. Server has tried the phone number as well, and has received no answer. Do you have an alternate address you would like to attempt or a date of birth?

LexisNexis SOP
1-800-644-4025

Your proofs will be available for online viewing when you are electronically notified of their availability. To view your proofs of service or non service, please login with the username and password you were given when you created your Service of Process account. The original will be mailed from our office as soon as it's received from our server. Please give us enough time to receive the original and mail to you before contacting us. Expedited & Fast services will be sent to you via Fed Ex, others will be sent by regular U.S. mail. Once you receive notice that your order has been completed, is when you know that your proof has either been mailed or filed with the court.

IF YOUR DOCUMENTS HAVE NOT BEEN SERVED, WE WILL HOLD ON TO YOUR DOCUMENTS FOR 5 BUSINESS DAYS (FROM THE TIME YOU ARE NOTIFIED) WHILE WE AWAIT DIRECTION ON HOW TO PROCEED. IF YOU ARE NOT HEARD FROM WITHIN THAT TIME FRAME, DOCUMENTS WILL BE RETURNED, AND ADDRESSED TO THE ORDER PLACER.



DAVIDS X

WEST & ASSOCIATES, A PC
2815 Mitchell Dr
Ste 209
Walnut Creek, CA 94598

Attn: Stuart J West
Phone: 9254654603

Order #: 14783044



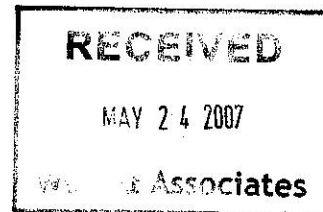
Date: May 22 2007

Dear WEST & ASSOCIATES, A PC:

Attached is the Proof of Service associated with an order for service that you placed with LexisNexis Service of Process. The Order Number for this order appears at the top of this page.

Thank you very much for using LexisNexis Service of Process. If you have any questions, please contact LexisNexis Service of Process Customer Support at 1-800-644-4025 or email us at sopsupport@fileandserve.lexisnexis.com.

COURT: UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA
CASE NAME: BONNIE STERN GOLD vs. ANTHONY ROBERTS, DOES 1-10
CASE NUMBER: C07-02450 EMC ADR
HEARING DATE:
SERVEE: ANTHONY ROBERTS
PERSON SERVED:
SERVICE DATE:
SERVED BY:
SERVICE ADDRESS: DIAMOND FLEA MARKET 814 WASHINGTON ST DIAMOND, MO 64840
DOCUMENTS: SUMMONS AND COMPLAINT FOR TRADEMARK INFRINGEMENT; EXHIBIT A
SERVICE NOTE: 05/15/2007 14:35: This place of employment is and should be considered a place of interest to locate him. I can not say for sure but a STRONG possibility. Directly next to 820 Washington St.



05/15/2007 14:35: No Access to subject's door (gated entrance) Electronically controlled with video camera.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

LexisNexis File & Serve SOP

**WEST & ASSOCIATES, A PC 2815 Mitchell Dr
Walnut Creek, CA 94598**

TELEPHONE NO.: **9254654603**

FAX NO. (Optional): **9259449598**

EMAIL ADDRESS (Optional):

ATTORNEY FOR (Name): **BONNIE STERNGOLD**

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA

STREET ADDRESS:

MAILING ADDRESS:

CITY AND ZIP CODE:

BRANCH NAME:

PLAINTIFF/PETITIONER: **BONNIE STERNGOLD**

DEFENDANT/RESPONDENT: **ANTHONY ROBERTS, DOES 1-10**

DECLARATION OF NON SERVICE

FOR COURT USE ONLY

CASE NUMBER:

C07-02450 EMC ADR

Ref. No. or File No.:

14783044

I declare that I am and was on the dates herein mentioned, a citizen of the United States, over the age of 18 years, not a party to nor interested in the above entitled action, and competent to be a witness therein.

I received the following documents for service:

Summons and Complaint for Trademark Infringement; Exhibit A

I attempted to serve **ANTHONY ROBERTS**
at the address of **820 S WASHINGTON ST , Diamond, Newton County, MO 64840**

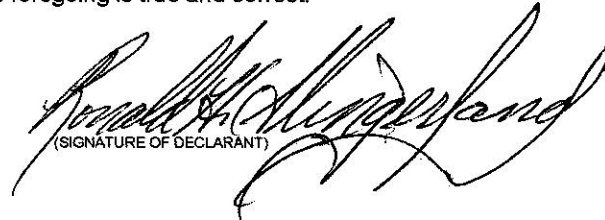
and was unable to effect service for the following reasons:

5/15/2007 2:35:00 PM: No Access to subject's door (gated entrance) Electronically controlled with video camera.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **5/15/2007**

Ronald H Slingerland
(PRINTED NAME OF DECLARANT)


(SIGNATURE OF DECLARANT)